



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

February 25, 2015

**TO:** Pat Modugno, Vice Chair  
Esther L. Valadez, Commissioner  
David W. Louie, Commissioner  
Curt Pedersen, Commissioner

**FROM:** Mitch Glaser, AICP, Assistant Administrator  
Current Planning Division

A handwritten signature in blue ink, likely belonging to Mitch Glaser.

**LIVING SUITE ORDINANCE – PROJECT NO. R2014-02159-(1-5) – ADVANCE  
PLANNING CASE NO. 201400007-(1-5) – FEBRUARY 25, 2015 PUBLIC HEARING –  
AGENDA ITEM #6 – SUPPLEMENTAL MATERIALS**

A revised resolution is attached for your consideration. Revisions to finding #9 are shown in "track changes" format.

MWG:mwg

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-02159-(1-5)  
ADVANCE PLANNING CASE NO. 201400007-(1-5)  
LIVING SUITE ORDINANCE**

**WHEREAS**, the Regional Planning Commission of the County of Los Angeles has reviewed the matter of an ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code to establish regulations concerning living suites; and

**WHEREAS**, the Regional Planning Commission finds as follows:

1. A living suite is a portion of a residence that provides flexible living arrangements for the household which occupies the residence. A living suite typically includes a living room with a "kitchenette" (microwave and refrigerator but no stove), a bathroom, and one or more bedrooms. A living suite includes an interior connection (typically a door) to the remainder of the residence and may also have a separate exterior entrance.
2. Over the last several years, national and regional homebuilders have constructed single-family homes with living suites. The homebuilders have found these units to be very popular with homebuyers, which is likely to continue as demographic changes make multi-generational families more common.
3. The Los Angeles County Zoning Code (Zoning Code) does not allow living suites. Section 22.08.040 of the Zoning Code states that a dwelling unit can only have one kitchen and Section 22.08.110 of the Zoning Code defines kitchen as "any room or space used, or intended or designed to be used for cooking or the preparation of food."
4. Homebuilders are interested in constructing residences with living suites in the unincorporated communities of Los Angeles County. In 2014, the Building Industry Association asked the Department of Regional Planning (Department) to investigate the issue and to develop a regulatory framework that would allow units with living suites.
5. After investigating the issue, the Department acknowledged the growing market demand for residences with living suites as well as the demographic changes that are making multi-generational families more common. However, the Department recommended limiting residences with living suites to new planned communities, to ensure such residences are consistent with community character and are provided with sufficient services and infrastructure.

6. On September 10, 2014, in accordance with the Department's recommendation, the Regional Planning Commission initiated public hearings to consider an ordinance amending the Zoning Code to allow residences with living suites in new planned communities in the Residential Planned Development (RPD) Zone, which already require a Conditional Use Permit (CUP) for development.
7. The ordinance amends the definition of "dwelling unit" in Section 22.08.040 of the Zoning Code; adds a definition of "living suite" to Section 22.080.120 of the Zoning Code; amends the permitted uses for the RPD Zone in Section 22.40.460 of the Zoning Code; amends the parking requirements for dwelling units in Section 22.52.1180 of the Zoning Code; and amends the second unit use restrictions in Section 22.52.1740 of the Zoning Code, all for the purposes of allowing the development of living suits for new planned communities in the RPD Zone, subject to a CUP.
8. The ordinance would authorize the construction of living suites only for *new* planned developments proposed after the effective date of the ordinance.
9. The ordinance includes provisions that would not allow a second unit to be established on a lot where a residence with a living suite has already been established. California Government Code Section 65852.2(c) states, "No local agency shall adopt an ordinance which totally precludes second units within single-family or multifamily zoned areas unless the ordinance contains findings acknowledging that the ordinance may limit housing opportunities of the region and further contains findings that specific adverse impacts on the public health, safety, and welfare that would result from allowing second units within single-family and multifamily zoned areas justify adopting the ordinance." The proposed ordinance does not totally preclude second units within the RPD Zone. While the proposed ordinance would preclude second units on lots where residences with living suites have already been established, the intent of the proposed ordinance is to increase housing opportunities in the region by allowing a new housing product type that is desired by the home-buying market, especially multigenerational households. The proposed ordinance would allow homebuilders to decide whether to design homes with living suites or to utilize existing avenues to develop second units. In addition, a living suite and a second unit have similar impacts pertaining to water supply, sewage disposal, and traffic. The proposed restriction is similar to an existing Zoning Code provision that precludes second units on lots where detached living quarters, which also have similar impacts, have already been established. Therefore, the findings required by Government Code Section 65852.2 are not required.
10. The ordinance is consistent with the adopted Los Angeles County General Plan.

11. Adoption of the proposed ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines because there is no possibility that adoption of the ordinance may have a significant effect on the environment. Adoption of the ordinance will not result in any direct physical change in the environment and will not result in any indirect physical change in the environment that is reasonably foreseeable at this time. The ordinance does not propose or authorize any development; the number, location, specific characteristics and environmental impacts of CUP requests for new planned communities are reasonably unforeseeable at this time; a new planned community is subject to project-level CEQA review regardless of whether dwelling units in the new planned community include living suites; and the ordinance does not involve any commitment to any specific project that may have a significant effect on the environment.
12. The public was appropriately notified of the public hearing. Public hearing notices were sent to 185 individuals and organizations throughout Los Angeles County who previously signed up for the Department's courtesy mailing list. A copy of the public hearing notice and proposed ordinance were also sent to six public libraries throughout Los Angeles County. A legal advertisement was published in *The Signal*, a newspaper of general circulation, on January 21, 2015. Case information was also posted to the Department's web site at <http://planning.lacounty.gov/case/view/r2014-02159/>.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Regional Planning Commission recommends that the Los Angeles County Board of Supervisors:

1. Conduct a public hearing to consider an ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code to establish regulations concerning living suites; and
2. Certify that adoption of the ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
3. Adopt the attached ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code and determine that it is compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission on February 25, 2015.

By: \_\_\_\_\_  
Rosie O. Ruiz, Commission Secretary  
Regional Planning Commission  
County of Los Angeles

APPROVED AS TO FORM:  
OFFICE OF THE COUNTY COUNSEL

By: \_\_\_\_\_  
Joseph M. Nicchitta, Deputy County Counsel  
Property Division

**VOTE**

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: February 25, 2015